

The House Committee on State Planning and Community Affairs - Local Legislation offers the following substitute to SB 295:

A BILL TO BE ENTITLED
AN ACT

To amend an Act creating the Board of Commissioners of Jeff Davis County, approved March 25, 1958 (Ga. L. 1958, p. 3288), as amended, so as to change the description of the commissioner districts; to provide for definitions and inclusions; to provide for continuation in office of current members; to provide for election and terms of office of subsequent members; to provide for submission of this Act for approval under the federal Voting Rights Act of 1965, as amended; to provide for effective dates; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act creating the Board of Commissioners of Jeff Davis County, approved March 25, 1958 (Ga. L. 1958, p. 3288), as amended, is amended by striking subsection (a) of Section 1A of said Act and inserting in lieu thereof the following:

"(a)(1) The Board of Commissioners of Jeff Davis County as it exists immediately prior to January 1, 2006, is continued in existence but on and after January 1, 2006, shall be constituted as provided in this Act. The Board of Commissioners of Jeff Davis County so continued and constituted, sometimes referred to in this Act as the 'board,' shall continue to have the powers, duties, rights, obligations, and liabilities of that board as existed immediately prior to January 1, 2006, and shall be subject to all constitutional and statutory provisions relating to boards of county commissioners.

(2) Those members of the Board of Commissioners of Jeff Davis County who are serving as such immediately prior to January 1, 2006, and any person selected to fill a vacancy in any such office shall continue to serve as such members until the regular expiration of their respective terms of office and upon the election and qualification of their respective successors. On and after January 1, 2006, the Board of Commissioners of Jeff Davis County shall consist of five members all of whom shall be elected from commissioner districts described in paragraph (3) of this subsection. Commissioner Districts 1, 2, 3, 4,

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1 and 5 as they exist immediately prior to January 1, 2006, shall continue to be designated
2 as Commissioner Districts 1, 2, 3, 4, and 5, respectively, but as newly described under
3 this Act, and on and after January 1, 2006, such members of the board serving from those
4 former commissioner districts shall be deemed to be serving from and representing their
5 respective districts as newly described under this Act.

6 (3) For purposes of electing members of the board of commissioners, Jeff Davis County
7 is divided into five commissioner districts. One member of the board shall be elected
8 from each such district by majority vote of the qualified voters residing within such
9 commissioner district. The five commissioner districts shall be and correspond to those
10 five numbered districts described in and attached to and made a part of this Act and
11 further identified as Plan Name: jeffdccsbw3 Plan Type: Local User: staff
12 Administrator: Jeff Davis.

13 (4) When used in such attachment, the terms 'Tract' and 'BG' (Block Group) shall mean
14 and describe the same geographical boundaries as provided in the report of the Bureau
15 of the Census for the United States decennial census of 2000 for the State of Georgia.
16 The separate numeric designations in a Tract description which are underneath a 'BG'
17 heading shall mean and describe individual Blocks within a Block Group as provided in
18 the report of the Bureau of the Census for the United States decennial census of 2000 for
19 the State of Georgia. Any part of Jeff Davis County which is not included in any such
20 district described in that attachment shall be included within that district contiguous to
21 such part which contains the least population according to the United States decennial
22 census of 2000 for the State of Georgia. Any part of Jeff Davis County which is
23 described in that attachment as being in a particular district shall nevertheless not be
24 included within such district if such part is not contiguous to such district. Such
25 noncontiguous part shall instead be included within that district contiguous to such part
26 which contains the least population according to the United States decennial census of
27 2000 for the State of Georgia. Except as otherwise provided in the description of any
28 commissioner district, whenever the description of such district refers to a named city,
29 it shall mean the geographical boundaries of that city as shown on the census map for the
30 United States decennial census of 2000 for the State of Georgia."

31 **SECTION 2.**

32 Said Act is further amended by striking Section 2A, relating to commissioner districts, in its
33 entirety.

SECTION 3.

The governing authority of Jeff Davis County shall through its legal counsel cause this Act to be submitted for preclearance under the federal Voting Rights Act of 1965, as amended; and such submission shall be made to the United States Department of Justice or filed with the appropriate court no later than 60 days after the date on which this Act is approved by the Governor or otherwise becomes law without such approval.

SECTION 4.

This section and Section 3 of this Act and those provisions of this Act necessary for the election of members of the Board of Commissioners of Jeff Davis County in 2006 shall become effective upon the approval of this Act by the Governor or upon its becoming law without such approval. The remaining provisions of this Act shall become effective January 1, 2006.

SECTION 5.

All laws and parts of laws in conflict with this Act are repealed.